

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.56220 of 2019

Arising Out of PS. Case No.-349 Year-2019 Thana- SHERGHATI District- Gaya

1. CHANDAN KUMAR @ CHANDAN SINGH, aged about 24 years, Male, S/O Ramkrit Singh, Resident of Village- Dobhi, P.S.- Dobhi, District- Gaya
2. Anu Singh @ Arvind Kumar, aged about 31 years, Male, S/O Rambadan Singh, Resident of Village- Dobhi, P.S.- Dobhi, District- Gaya

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Vinor Kumar, Adv.

For the Opposite Party : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Sherghati (Dobhi) P.S. Case No. 349 of 2019 for the offences alleged under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of checking of the vehicle, when signal was given to stop, two persons getting down from same started to flee away, while they were chased, but, they succeeded to flee away. Two persons were found in the Santro car. The person who was on driving seat disclosed his name as Ram Prakash Choudhary and on search 300 liters of country made liquor recovered from the car. Ram Prakash Chaudhary and Nand Keshwar Das, who were caught hold disclosed the names of both the petitioners who succeeded to flee away.



The submission of the learned counsel for the petitioners is that petitioners were not seated on the car and their names have come in the confessional statement of co-accused and they have not been apprehended on the spot. Petitioners have no criminal antecedent. Further submission is that petitioners are not the owner of the seized Santo car.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sherghati (Dobhi) P.S. Case No. 349 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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